

68 1641

PATENT  
242/026

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Neil H. Bander**

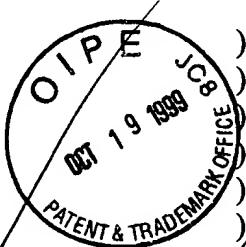
Serial No. 09/357,709

Filing Date: July 20, 1999

For: **TREATMENT AND DIAGNOSIS  
OF PROSTATE CANCER**

Group Art: 1641

Examiner: Not yet assigned



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**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)(3)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the following information is brought to the attention of the Examiner. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this Information Disclosure Statement (IDS) may or may not be "material" pursuant to 37 CFR § 1.56 and the submission thereof by Applicant shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

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**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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October 15, 1999  
Date of Deposit

LA-109372.1

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**Felicia Reyes**  
Name of Person Mailing Paper  
*Felicia Reyes*  
Signature of Person Mailing Paper

The filing of this IDS shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

The attached IDS is being filed in accordance with 37 CFR §§ 1.97 and 1.98. This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b)(3), that is before the mailing of a first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under § 1.97(c) and is further authorized to charge any fee required by the filing of these papers to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,  
LYON & LYON LLP

Dated: October 14, 1999

By: 

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